

TO: The Honorable Board of Supervisors

FROM: F. Craig Meadows, County Administrator
L. Carol Edmonds, Deputy County Administrator

DATE: September 22, 2014

SUBJECT: AGENDA REPORT

I. CALL TO ORDER

II. INTO CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. Former Blacksburg Middle School Property

(1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

- 1. Adjustment and Appeals Board**
- 2. Board of Equalization**
- 3. Community Services Board**
- 4. Planning Commission**

III. OUT OF CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

IV. CERTIFICATION OF CLOSED MEETING

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

VII. PRESENTATIONS

VIII. DELEGATIONS

- A. Citizens Preserving Floyd County (CPFC) – Mountain Valley Pipeline**
Elizabeth McCommon, CPFC, will make a presentation on CPFC's efforts to block Mountain Valley's proposed natural gas pipeline from West Virginia through seven Virginia Counties including Montgomery County and Floyd County.

IX. PUBLIC HEARINGS

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearing was advertised pursuant to law in the "NEW RIVER VALLEY" Section of the Roanoke Times on September 5 and September 12, 2014:

1. AFD #14 (Fishers View) Renewal

District #14 (Fishers View) is generally located in the south eastern portion of Montgomery County and is in the vicinity of Alleghany Spring Rd. (Rt. 637) and Fisher's View Rd. (Rt. 609). This district is currently under review for another eight year term. Currently, AFD 14 consists of 2 property owners and approximately 481.925 acres. The proposed new district would consist of 2 property owners and approximately 531.85 acres. (The AFD Advisory Committee has recommended this district be renewed for a term of eight (8) years). See TAB A.

The following public hearing was advertised pursuant to law in the "NEW RIVER VALLEY" Section of the Roanoke Times on September 7 and September 14, 2014:

2. Ordinance - Establish Application Deadline for Appeals - Board of Equalization

An Ordinance Establishing a January 15, 2015 Application Deadline for Appeals Filed by Property Owners and Lessees with the Board Of Equalization for the purpose of hearing Complaints of Inequality in the Equalization of Real Estate Assessments and/or that Real Estate is assessed at more than fair market value and a March 4, 2015 Deadline for all Appeals to be Finally Disposed of by the Board. See TAB B.

X. PUBLIC ADDRESS

XI. INTO WORK SESSION

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Reassessment
2. Legislative Priorities for 2015 (TAB C)
3. FY 14 Carryforward Requests
4. Revenue Sharing Projects for FY 2016
5. Shawsville Middle School Property Agreement

XII. OUT OF WORK SESSION

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

XIII. ADDENDUM

XIV. CONSENT AGENDA

XV. NEW BUSINESS

**A. SUBJECT: ORDINANCE ESTABLISHING
APPLICATION DEADLINE FOR APPEALS –
BOARD OF EQUALIZATION**

**ORD-FY-15-
AN ORDINANCE ESTABLISHING A JANUARY 15, 2015 APPLICATION DEADLINE
FOR APPEALS FILED BY PROPERTY OWNERS AND LESSEES WITH
THE BOARD OF EQUALIZATION FOR THE PURPOSE OF HEARING
COMPLAINTS OF INEQUALITY IN THE EQUALIZATION OF REAL ESTATE
ASSESSMENTS AND/OR THAT REAL ESTATE IS ASSESSED AT MORE THAN FAIR
MARKET VALUE AND A MARCH 4, 2015 DEADLINE FOR ALL APPEALS TO BE
FINALLY DISPOSED OF BY THE BOARD**

WHEREAS, Pursuant to Section 58.1-3378 of the 1950 Code of Virginia, as amended, the Board of Supervisors may provide by ordinance the date by which applications must be made by property owners or lessees seeking relief from the Board of Equalizations for inequality in the equalization of real estate assessment and/or that real estate is assessed at more than fair market value; and

WHEREAS, The Board of Supervisors may also provide by ordinance the deadline by which all applications must be finally disposed of by the Board of Equalization.

WHEREAS, The Board of Supervisors desires to establish January 15, 2015 as the deadline to apply to the Board of Equalization for relief and March 4, 2015 as the deadline by which all applications shall be finally disposed.

NOW, THEREFORE, BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby establishes January 15, 2015 as the deadline by which the Montgomery County Board of Equalization shall receive applications from property owners or lessees making complaints of inequalization of real estate assessments and/or complaints that the real property is assessed at more than the fair market value; and

BE IT FURTHER ORDAINED, By the Board of Supervisors that the Board of Supervisors hereby establishes March 4, 2015 as the deadline by which all applications shall be disposed of by the Board of Equalization.

ISSUE/PURPOSE: Establish application deadline for appeals and
deadline for all applications to be finalized by the
Board of Equalization.

**B. SUBJECT: ESTABLISH BOARD OF EQUALIZATION
COMPENSATION**

**R-FY-15-
BOARD OF EQUALIZATION
ESTABLISH COMPENSATION**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia does hereby authorize payment to the members of the Board of Equalization (BoE) in the amount of \$200.00 per day.

ISSUE/PURPOSE: To establish compensation for the Board of Equalization members.

**C. SUBJECT: SECOND AMENDMENT TO THE FORMER
PRICES FORK ELEMENTARY SCHOOL
REAL ESTATE PURCHASE AND SALES
AGREEMENT**

**R-FY-15-
RESOLUTION AUTHORIZING APPROVAL OF THE SECOND AMENDMENT TO
THE FORMER PRICES FORK ELEMENTARY REAL ESTATE PURCHASE AND
SALE AGREEMENT EXTENDING THE REVIEW PERIOD**

WHEREAS, Taylor Hollow Management, LLC and the Montgomery County Board of Supervisors executed and entered into a Real Estate Purchase and Sale Agreement (“the Agreement”) to sell the former Prices Fork Elementary Property (“the Property”) located along Prices Fork Road; and

WHEREAS, Both the Purchaser and Seller desire to amend Section 7.1 of the Agreement by extending the review period until December 1, 2014, at 5:00 p.m. EST in order to provide more time for the parties to work with VDOT on what the required road improvements to Prices Fork Road will be to redevelop the Property.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby approves the Second Amendment to the former Prices Fork Elementary Property Real Estate Purchase and Sale Agreement extending the review period to December 1, 2014, at 5:00 p.m. EST in order to provide more time for the parties to work out and finalize with VDOT what the required road improvements to Prices Fork Road will be for the redevelopment of the Property.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes the Board Chair, William H. Brown, to sign the Second Amendment on behalf of the Board of Supervisors.

ISSUE/PURPOSE: Approve the Second Amendment to the former Prices Fork Elementary Property Real Estate Purchase and Sale Agreement.

JUSTIFICATION: The County desires to amend the Real Estate Purchase and Sale Agreement to extend the review period to December 1, 2014, at 5:00 p.m. EST in order to provide more time for the parties to work out and finalize with VDOT what the required road improvements to Prices Fork Road will be for the redevelopment of the Property. See TAB H for a copy of the Second Amendment to the Real Estate Purchase and Sale Agreement.

**D. SUBJECT: LEAGUE OF WOMEN VOTERS
TRANSFER FROM GENERAL
CONTINGENCIES (BALANCE IN GENERAL
CONTINGENCIES BEFORE THIS
RESOLUTION IS \$414,089)**

**A-FY-15-
LEAGUE OF WOMEN VOTERS
TRANSFER FROM GENERAL CONTINGENCIES**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950	General Contingencies	(\$200)
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TO:

910	League of Women Voters	\$200
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Said resolution provides funds to the League of Women Voters for the 2015 Facts for Voters brochure.

ISSUE/PURPOSE: Transfer from General Contingencies to League of Women Voters.

JUSTIFICATION: This resolution transfers \$200 funds from General Contingencies to the League of Women Voters to help support the Montgomery County League of Women Voters 2015 FACTS FOR VOTERS publication.

XVI. COUNTY ATTORNEY'S REPORT

XVII. COUNTY ADMINISTRATOR'S REPORT

XVIII. BOARD MEMBERS' REPORT

1. Supervisor King
2. Supervisor Creed
3. Supervisor Perkins
4. Supervisor Biggs
5. Supervisor Tuck
6. Supervisor Gabriele
7. Supervisor Brown

XIX. OTHER BUSINESS

XX. ADJOURNMENT

FUTURE MEETINGS

County Conversations
Tuesday, September 30, 2014
Eastern Montgomery High School
7:00 p.m.

Regular Meeting
Tuesday, October 14, 2014
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting

Adjourned Meeting
Monday, October 27, 2014
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting